

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Daniel K. Pletcher**  
**Joani L. Pletcher**  
Debtor(s)

Bankruptcy Case No.: 20-20278-GLT  
Issued Per 2/24/2020 Proceeding  
Chapter: 13  
Docket No.: 25 - 6  
Concil. Conf.: August 6, 2020 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 23, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 6, 2020 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: March 2, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Daniel K. Pletcher  
 Joani L. Pletcher  
 Debtors

Case No. 20-20278-GLT  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dbas  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 33

Date Rcvd: Mar 02, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 04, 2020.

db/jdb +Daniel K. Pletcher, Joani L. Pletcher, 542 Bell Memorial Church Road,  
 Latrobe, PA 15650-5906  
 cr +PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101-4982  
 15189134 +Allegheny County, 114 Courthouse, 436 Grant Street, Pittsburgh, PA 15219-2400  
 15189135 +Beaver County, 810 3rd Street, Beaver, PA 15009-2100  
 15189138 +EZ Pass, Customer Service Center, 300 E. Park Drive #2729, Harrisburg, PA 17111-2729  
 15189139 +First Data Leasing, PO Box 173845, Denver, CO 80217-3845  
 15189140 +First Data/Credit Collections, 725 Canton St., Norwood, MA 02062-2679  
 15189141 +KML Law Group, P.C., BNY Independence Center - Suite 5000, 701 Market Street,  
 Philadelphia, PA 19106-1538  
 15189142 +Lineberger & Blair, PO Box 90128, Harrisburg, PA 17109-0128  
 15189143 +Marilyn Gault, 231 South Main St., #402, Greensburg, PA 15601-3115  
 15189144 +PA Turnpike Commission, PO Box 67676, Harrisburg, PA 17106-7676  
 15189146 +PNC, PO Box 856177, Louisville, KY 40285-6177  
 15189149 +PNC Bank, 2730 Liberty Ave., Pittsburgh, PA 15222-4747  
 15189148 +PNC Bank, PO Box 1820, Dayton, OH 45401-1820  
 15189147 +PNC Bank, PO Box 6534, Carol Stream, IL 60197-6534  
 15189150 +PNC Bank, NA, 3232 Newmark Drive, Miamisburg, OH 45342-5421  
 15189145 +Peoples Gas, PO Box 644760, Pittsburgh, PA 15264-4760  
 15189152 +Professional Account Management, PO Box 1153, Milwaukee, WI 53201-1153  
 15189153 +Pucin, 1699 East Woodfield Rd., Suite 360 A, Schaumburg, IL 60173-4935  
 15189154 +Scott Learn, DMD, 5927 State Rt 981, Suite 1, Latrobe, PA 15650-2688  
 15196556 Toyota Motor Credit Corporation, c/o Becket and Lee LLP, PO Box 3001,  
 Malvern PA 19355-0701  
 15189157 +Toyota Motor Leasing, PO Box 9786, Cedar Rapids, IA 52409-0004  
 15189158 +US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
 (address filed with court: US Bank, PO Box 108, Saint Louis, MO 63166)  
 15189159 +Westmoreland County, 2 North Main Street, Suite 303, Greensburg, PA 15601-2405

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 03 2020 04:12:28  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15189136 +E-mail/Text: documentfiling@lciinc.com Mar 03 2020 04:06:34 Comcast/Xfinity, PO Box 70219,  
 Philadelphia, PA 19176-0219  
 15189137 E-mail/Text: mrdiscen@discover.com Mar 03 2020 04:06:39 Discover, PO Box 15316,  
 Wilmington, DE 19850  
 15200482 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Mar 03 2020 04:25:39 First Data Global Leasing,  
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457  
 15189151 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 03 2020 04:13:18  
 Portfolio Recovery Assoc., 120 Corporate Blvd., Suite 100, Norfolk, VA 23502  
 15202101 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 03 2020 04:12:27  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 15189155 E-mail/Text: appebnmailbox@sprint.com Mar 03 2020 04:07:35 Sprint, PO Box 4191,  
 Carol Stream, IL 60197  
 15189468 +E-mail/PDF: gecsedirecoverycorp.com Mar 03 2020 04:12:06 Synchrony Bank,  
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15189156 +E-mail/PDF: gecsedirecoverycorp.com Mar 03 2020 04:12:57 Synchrony Bank/JCPenney,  
 PO Box 960090, Orlando, FL 32896-0090

TOTAL: 9

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr PNC Mortgage, A Division Of Pnc Bank, National Ass

TOTALS: 1, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 04, 2020

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dbas  
Form ID: 149

Page 2 of 2  
Total Noticed: 33

Date Rcvd: Mar 02, 2020

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 2, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC Mortgage, A Division Of Pnc Bank, National  
Association bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
Scott R. Lowden on behalf of Joint Debtor Joani L. Pletcher niclowlgl@comcast.net  
Scott R. Lowden on behalf of Debtor Daniel K. Pletcher niclowlgl@comcast.net

TOTAL: 5